

Docket Item #5
BZA CASE #2005-0055

Board of Zoning Appeals
November 10, 2005

ADDRESS: 611 SOUTH FAIRFAX STREET
ZONE: RM, RESIDENTIAL
APPLICANT: LYNN VENDINELLO, OWNERS

ISSUE: Special exception to construct a two story addition and covered open porch in the required side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED EXCEPTION
3-1108(C)(2)	Side Yard (South)	5.00 feet	3.00 feet	2.00 feet

The staff **recommends approval** of the requested special exception because the request meets the criteria for a special exception.

If the Board decides to grant a special exception, it should contain the conditions under the department comments. Special exceptions must also be recorded with the deed of the property in the City's Land Records Office prior to the release of a building permit.

BOARD OF ZONING APPEALS ACTION OF NOVEMBER 10, 2005: On a motion to approve by Mr. Curry, seconded by Mr. Allen the special exception was approved by a vote of 7 to 0.

Reason: The application met the requirements for a special exception as outlined in the staff report.

Speakers

Frank Nelson, architect, made the presentation.

Murney Keleher, Historic Alexandria Foundation, had questions, but did not speak in support or in opposition of the application.

(insert sketch here)

I. Issue

The applicant proposes to construct a two-story addition in the required south side yard of the property located at 611 South Fairfax Street.

II. Background

The existing parcel is one lot of record with 27.00 feet of frontage on South Fairfax Street, a depth of 123.42 feet and totals 3,332 square feet. The existing structure is a two-story frame single-family dwelling which abuts the adjacent property to the north at 609 South Fairfax Street, 2.90 feet from the south side property line and 63.00 feet to the rear property line.

III. Description

The applicant proposes to construct a two-story side yard addition within 3.00 feet of the south side property line. The addition will align with an existing side yard addition that accommodates a kitchen and upper floor study room. The two-story addition measures 19.75 feet by 9.00 feet by 17.00 feet in height to the eave line of the pitched roof facing the south side property line. The proposed addition will accommodate a breakfast room and covered open porch on the first floor and child's bathroom and master bathroom on the second floor.

Upon completion of the work, the proposed renovations will continue to comply with the RM zone requirements. (Refer to floor area calculations.)

The subject property is located in the Old and Historic Alexandria District and is under the jurisdiction of the Board of Architectural Review (BAR). The proposed new additions will require approval of a Permit to demolish and cap and a Certificate of Appropriateness by the BAR. The proposed changes to the property are located to the rear and side of the historic house and appear to impact non-historic additions and facades. This property is landlocked with no rear alley. The proposed changes do not appear to be visible from the front public-right-of-way.

There have been no variances or special exceptions previously granted for the subject property.

IV. Master Plan/Zoning: The subject property is zoned RM residential since adoption of the Third Revised Zoning Map in 1951, and is identified in the Old Town Small Area Plan for residential land use.

V. Noncomplying structure

The dwelling at 611 South Fairfax Street is a noncomplying structure with respect to the following:

<u>Yard</u>	<u>Required</u>	<u>Existing</u>	<u>Noncompliance</u>
Side (South)	5.00 feet	2.90 feet	2.10 feet

VI. Staff analysis under criteria of section 11-1302

This case asks the Board of Zoning Appeals to rule on whether a two-story addition located within the required north side yard meets the standards adopted for a special exception for additions.

Special Exception Standards

To grant a special exception, the Board of Zoning Appeals must find that the strict application of the zoning ordinance creates an unreasonable burden on the use and enjoyment of the property. Section 11-1304 of the zoning ordinance lists standards that an applicant must address and that the Board believes exists and thus warrants granting a special exception of the zoning regulations.

1. Whether approval of the special exception will be detrimental to the public welfare, to the neighborhood or to the adjacent properties.
2. Whether approval of the special exception will impair an adequate supply of light and air to the adjacent property, or cause or substantially increase traffic congestion or increase the danger of fire or the spread of fire, or endanger the public safety.
3. Whether approval of the special exception will alter the essential character of the area or the zone.
4. Whether the proposal will be compatible with the development in the surrounding neighborhood.
5. Whether the proposed development represents the only reasonable means and location on the lot to accommodate the proposed structure given the natural constraints of the lot or the existing development of the lot.

VIII. Neighborhood Impact

The proposed improvements will have minimal impact on the neighborhood. The proposed addition will not exceed the height of the existing dwelling and side yard addition and will blend architecturally with the existing house when viewed from South Fairfax Street and from the south side property. The addition will align with the rear portion of the home's existing

side yard addition and will not encroach further into the required setback than the existing noncomplying south dwelling facade. The zoning characteristics are not significant as to create an unreasonable impact on the neighborhood and adjoining properties. The building has been continuously used residentially.

IX. Light and Air

The proposed addition is located approximately 7.00 feet from neighboring building to the south and should not compromise light and air currently enjoyed by this most affected property. When viewed from the neighboring property, the proposed addition will maintain a similar style architecture and will be clad in similar exterior materials. The first floor of the addition will be an open porch; only the second floor will result in more solid mass that faces the neighboring property.

X. Location of Improvements

The location of the proposed improvements will create the least impact to the neighborhood as it will present a modest “infill” building mass facing the side yard. The addition will not project any closer to the south side property line than where the existing dwelling has been built. This location is the only location where the footprint of the existing dwelling could be reasonably expanded without removing valuable rear yard open space.

XI. Staff Conclusion

Staff concludes that the addition will not have an adverse impact on the adjoining property facing the south property line. The neighbor to the south does not object to the proposed addition. The improvements will not alter the character of the neighborhood and nor should the addition affect the character of the dwelling and adjoining property. Staff finds that the proposed improvements meet the criteria for special exception.

Staff **recommends approval** of the special exception with the condition that the proposed changes be approved by the Old and Historic Alexandria Board of Architectural Review.

STAFF: Hal Phipps, Division Chief, Planning and Zoning
Peter Leiberg, Zoning Manager, Planning and Zoning

DEPARTMENTAL COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

* The applicant is advised that if the variance is approved the following additional comments apply.

Transportation and Environmental Services:

F-1 Size and scope of proposed addition does not require plot plan approval.

Code Enforcement:

- F-1 The proposed addition is within 5 feet of an interior lot line. The requirements of C-1 below shall be applicable.
- C-1 All exterior walls within 5 feet from an interior property line shall have a fire resistance rating of 1 hour, from both sides of the wall. As alternative, a 2 hour fire wall may be provided. This condition is also applicable to skylights within setback distance. Openings in exterior walls between 3 and 5 feet shall not exceed 25% of the area of the entire wall surface (This shall include bay windows). Openings shall not be permitted in exterior walls within 3 feet of an interior lot line.
- C-2 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-4 A soils report must be submitted with the building permit application.
- C-5 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

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- C-7 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-8 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-9 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Recreation (Arborist):

- F-1 No trees are affected by this plan.

Historic Alexandria (Archaeology):

- F-1 According to Ethelyn Cox's *Historic Alexandria, Virginia, Street by Street*, the structure on this lot may be an early house, remodeled during the Victorian era. Tax records indicate that structures were present on this street face by 1810. The 1877 Hopkins Insurance Atlas shows a house present on the property, owned by William Chancey. The lot therefore has the potential to yield archaeological resources that could provide insight into life in early Alexandria.
- R-1 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- R-2 The above statement must appear in the General Notes of all site plans and on all site plan sheets that involve demolition or ground disturbance (including sheeting and shoring and grading) so that on-site contractors are aware of the requirement.

Other Requirements Brought to the Applicant's Attention:

- C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.

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